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MAY - 5 1995

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May 5, 1995

**BY MESSENGER**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: In the Matter of Advanced Television  
Systems and Their Impact Upon the Existing  
Television Broadcast Service  
MM Docket No. 87-268

Dear Mr. Caton:

DOCKET FILE COPY ORIGINAL

The Association for Maximum Service Television ("MSTV"), pursuant to Section 1.206(a)(2) of the Commission's Rules, hereby notifies the Commission that members of MSTV met with Commissioner James H. Quello and his advisor Maureen A. O'Connell and with Commissioner Susan Ness and her advisor David R. Siddall on May 4, 1995. Attending the meeting on behalf of MSTV were MSTV Chairman Edward Riley, President Margita White, W. P. Williamson, Cecil L. Walker, and MSTV counsel Jonathan D. Blake.

The substance of these comments are reflected in the written submissions of MSTV in the above-referenced docket. In addition, a resolution adopted by the MSTV Board of Directors and a letter from MSTV to Senator Pressler were distributed at the meeting and are attached hereto.

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Mr. William F. Caton  
May 5, 1995  
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Please direct any questions concerning this matter  
to the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Ellen P. Goodman". The signature is fluid and cursive, with the first name "Ellen" being more prominent.

Ellen P. Goodman

Attorney for  
Association of Maximum  
Service Television, Inc.

Attachments

cc: Commissioner Susan Ness  
Commissioner James H. Quello

ASSOCIATION FOR MAXIMUM SERVICE TELEVISION, INC.



1776 Massachusetts Ave., NW  
Suite 310  
Washington, DC 20036

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**RESOLUTION ADOPTED BY MSTV BOARD OF DIRECTORS**

Meeting in Las Vegas, Nevada  
April 9, 1995

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

"The MSTV Board reaffirms its commitment to high definition television and the use by broadcasters of their ATV channels substantially for HDTV. The goal of public policy and of the local television station community should be to transition our nation's free and universal television broadcast system to the digital era. The totality of the American public, which only local broadcasters serve, must have the opportunity to participate in the benefits of digital television and, most centrally, HDTV."

ADDRESSED PERSONALLY TO EACH MEMBER OF THE U.S. SENATE.

ASSOCIATION FOR MAXIMUM SERVICE TELEVISION, INC.



May 4, 1995

The Honorable Larry Pressler  
SR-243 Russell Senate Office Bldg.  
Washington, DC 20510-4101

1776 Massachusetts Ave., NW  
Suite 310  
Washington, DC 20036

Tel (202) 861-0344  
FAX (202) 861-0342

Margita E. White  
President

Dear Senator Pressler:

MSTV supports the amendment which Senator Lott intends to offer to the Spectrum Reform section of S. 652, the Telecommunications Competition and Deregulation Act of 1995, which the Senate may consider in the next few weeks.

As the national association of television stations with a 40-year mission of preserving and enhancing the technical quality of free and universal community-based television, MSTV spearheaded the industry's initial petition for the FCC to initiate its ATV proceeding. We have drafted and organized five major joint industry submissions to the Commission, including the complex technical plan for assigning the transitional channels to each station.

Television broadcasters want to participate in the digital future. We endorse Senator Lott's amendment because it would reinforce the FCC's on-going process leading toward the conversion of our nation's 50-year-old analog NTSC standard to digital advanced television, including high definition television as the highest form of digital transmission. Most important, the Grand Alliance HDTV system on which it is expected to be based, will make it possible for our unique American free and universal community-based over-the-air television system to transition to the vastly improved picture and sound quality and other advances of digital technology.

However, that transition cannot take place in the current broadcast channel without obsoleting the more than 200 million analog sets in American homes and thereby disenfranchising the public from its current service. The shift to digital requires the use of a second channel from the existing broadcast allocation. With the migration of service to the digital channel and new sets capable of receiving it, broadcasters then would be required to give back the original NTSC channels.

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In short, to make the transition, broadcasters need to borrow a channel and spend several million dollars to convert equipment to digital at a time when few sets can receive advanced television service (and there is a minimal advertising base to support it). This is in addition to the tens of millions of dollars stations already have pooled to promote and apply the technology to broadcasting -- to assure it fits in six MHz channels, that all existing stations can be accommodated, and that viewers won't be disenfranchised by shrunken ATV service areas and from excessive interference to existing NTSC service.

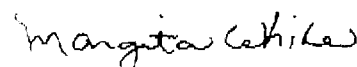
That is why the legislation wisely would have the Commission, in the first instance, issue the advanced television channel licenses to existing licensees. It also is why the Lott Amendment would assure that the Commission shall not require the payment of any fee for these licenses. The exception would apply to broadcaster use of the ATV channel's sometime excess capacity to provide additional, ancillary services for which they might assess charges -- in which case fees could be levied.

The alternative of subjecting the new channels to auctions or fees for the transmission of free over-the-air broadcast service would undermine that transition -- introducing speculation, uncertainty, delays and expense into the conversion of the public's service to digital. This, in turn, would strand 40% of Americans who rely exclusively on local broadcasters in an analog technology which eventually would wither away when the rest of the world has gone digital.

The Lott Amendment also is critical to fixing language added to the bill which would have the FCC assess fees for uses of existing broadcast spectrum -- both current and improved ancillary services made possible by advances in technology. For example, such fees would apply to the data broadcast technology recently proposed by the FCC to permit television broadcaster use of existing spectrum to transmit high-speed data without any adverse impact on the transmission of their regular television signal. It is neither appropriate nor fair to impose fees on broadcasters for making more efficient use of current spectrum to upgrade the type of services they already provide.

A list of MSTV's Board of Directors is attached. On their behalf and on behalf of the public they and our members serve, I urge you to support the Lott Amendment.

Sincerely,



Margita E. White

MEW/ap  
Enclosure